



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CITY HALL
TUESDAY, FEBRUARY 18, 2014
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. Second Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2014." Matt Caldwell and Deputy Chief Bates

III. New Business Requiring Council Action

- A. First Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.14 OF THE COLUMBUS CITY CODE, ANIMAL CARE SERVICES MANAGER." Chief Maddix and Deputy Chief Harry
- B. First Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.50.010 OF THE COLUMBUS CITY CODE, BOARD OF WORKS POWERS AND DUTIES." Chief Maddix and Deputy Chief Harry

- C. First Reading of an Ordinance entitled "ORDINANCE NO._____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.54.020 OF THE COLUMBUS CITY CODE, ANIMAL CARE SERVICES COMMISSION, MEMBERSHIP." Chief Maddix and Deputy Chief Harry

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. Discussion Items:
 - 1) Marc Nehring with Waste Servant
- C. Next regular meeting is scheduled for **Tuesday, March 4, 2014 at 6:00 P.M. in City Hall.**
- D. Adjournment

ORDINANCE NO.____, 2014

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2014**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the City to address the apparatus needs of the Fire Department; and

WHEREAS, it is necessary to appropriate additional funds from the General Fund in the amount of \$1,250,000 for the cost of the purchase of two pieces of fire apparatus; and

WHEREAS, there are additional funds in the amount of \$1,250,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) shall be paid during the 2014 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purposes of purchasing two pieces of fire apparatus.

BE IT FURTHER ORDAINED, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2014 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at
_____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO. _____, 2014

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, TO AMEND CHAPTER 2.14 OF THE COLUMBUS CITY CODE,
ANIMAL CARE SERVICES MANAGER

WHEREAS, Indiana Code 36-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, it is the desire of the Mayor to have the Columbus Municipal Code accurately reflect the current organizational structure of Animal Care Services and address a need for an organizational shift to remove Animal Care Services from the Police Department organization.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 2, Article 14 of the Columbus City Code, is hereby amended to read as follows:

Chapter 2.14
ANIMAL CARE SERVICES **MANAGER**

2.14.010 **General** Manager.

The position of Animal Care Services **General** Manager shall be employed by the City of Columbus, under the supervision of the ~~chief of police~~ **Mayor or the Mayor's designee** with the advice of the Animal Care Services Commission. The Animal Care Services **General** Manager shall be authorized to employ staff and any other persons as may be necessary to carry out the purposes of this chapter ~~with the advice and consent of the chief of police.~~

2.14.020 Duties, jurisdiction and powers.

The Animal Care Services **General** Manager and staff shall be sworn to uphold, carry out and supervise the enforcement of this chapter within the city, unless otherwise provided. The Animal Care Services **General** Manager and staff shall be vested with all the powers ordinary and necessary under the law to enforce the provisions of this chapter. These duties and powers shall specifically include, but not be limited to the following:

- A. To educate the public concerning humane ethics, consequences of pet overpopulation and their responsibilities as pet owners;
- B. To maintain the physical facility known as the Columbus Animal Care Services Center which shall be operated in a humane manner in accordance with the standards set forth in this chapter and established rules and regulations;
- C. To make an annual report to the common council concerning the animal care services program within the city;
- D. To prepare and submit to the common council for approval an annual budget of funds adequate to carry out the purposes of this chapter;
- E. The power to apprehend and impound any animal that appears to be stray or at large;
- F. The power to apprehend and impound any animal that is on the owner's property without being under the owner's personal physical restraint or posing an immediate physical danger to the community. Such impoundment must be preceded by written certification by a citizen witness, or by an officer of Animal Care Services or by the police department. However, no animal shall be apprehended and impounded if the owner is available and is restraining the animal.
- G. The power to apprehend and impound any animal when the Animal Care Services General Manager or staff have probable cause to believe that the animal has been treated cruelly, inhumanely, neglected or used by the owner/agent in a fighting contest;
- H. The power to issue official warning or a notice of ordinance violation for violations of this chapter;
- I. The power to enter private real property in pursuit of an animal to enforce this chapter. In performing their duties, the Animal Care Services General Manager and staff shall be specifically prohibited from the following: entering an inhabited or locked dwelling unit without the dwelling unit owner's permission or without a warrant authorizing the entry except when apprehending and impounding an animal pursuant to subsection G of this section; carrying firearms or making arrests of human beings.

2.14.030 Compensation.

The salaries and wages of the Animal Care Services General Manager and staff shall be fixed by the mayor and approved by the common council.

2.14.040 Penalty for interference with animal care services personnel.

Whoever forcibly assaults, resists, opposes, obstructs, prevents, impedes or interferes with any Animal Care Services personnel while that person is engaged in the execution of any duties required of the Animal Care Services Department under this chapter, shall be subject to a fine of one hundred dollars (\$100.00) for the first offense, with the fines increasing by increments of

one hundred dollars (\$100.00) for each subsequent offense within one year of the first offense, but not more than one thousand dollars (\$1,000.00).

Section II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at ____ o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____m.

Kristen Brown
Mayor of the City of Columbus, Indiana

ORDINANCE NO. _____, 2014
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, TO AMEND CHAPTER 2.50.010 OF THE COLUMBUS CITY CODE,
BOARD OF WORKS POWERS AND DUTIES

WHEREAS, Indiana Code 36-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, it is the desire of the Common Council to accurately reflect the current City administrative structure in the Columbus City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 2, Article 50, Section 10 of the Columbus City Code, is hereby amended to read as follows:

2.50.010 Established--Powers and duties--Composition.

There is established a board of public works and safety within the executive branch.

A. Such board shall be the chief administrative body of the city and shall have the power and responsibilities granted by applicable state law, including control of the day-to-day operations of the following executive departments, which are established:

1. Police department ~~which shall include Animal Care Services;~~
2. Fire department;
3. Engineering department which shall include Streets (traffic and highway); ~~and~~
4. City garage; ~~and~~
5. Animal Care Services.

B. The members of the board of public works and safety shall be the mayor and four voters of the city who shall be chosen by the mayor in accordance with Indiana Code, 36-4-9-8, and who shall serve at the mayor's pleasure.

C. The chiefs of the police and fire departments, and the head of the engineering, ~~and~~ city garage, and animal care services departments shall be appointed by the mayor and serve at the mayor's pleasure pursuant to Indiana Code 36-4-9-4.

D. The Board of Public Works and Safety, by delegation of the mayor pursuant to Columbus Municipal code Section 13.24.020, shall be responsible for the day to day operations of the Columbus mass transit system as a public works of the city. The Board of Public Works and Safety shall also be responsible for designation of the transit coordinator to run the operations of the mass transit system.

Section III. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at
____ o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____m.

Kristen Brown

ORDINANCE NO. _____, 2014
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, TO AMEND CHAPTER 2.54.020 OF THE COLUMBUS CITY CODE,
ANIMAL CARE SERVICES COMMISSION, MEMBERSHIP

WHEREAS, Indiana Code 36-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, it is the desire of the Mayor and based upon the recommendation of the Animal Care Services Commission to amend the composition of the Animal Care Services Commission to more effectively place individuals desiring to volunteer.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 2, Article 54, Section 20 of the Columbus City Code, is hereby amended to read as follows:

2.54.020 Membership.

The Animal Care Services Commission shall be composed of ~~six~~ seven members who shall be appointed by the mayor.

A. One shall be a licensed veterinarian.

B. One shall be selected from a member of the common council.

C. ~~Two~~ One shall be selected from a chartered animal care or control organization.

D. ~~Two~~ Three shall be selected from the citizens of Columbus.

E. One shall be an active member of the Columbus Police Department selected by the Chief of Police.

Section II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at
____ o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____m.

Kristen Brown
Mayor of the City of Columbus, Indiana